

CLEAN AIR ACT7-57. Section 309 Review Process

1. **AUTHORITY.** To review and comment in writing on the environmental impact, in accordance with the Clean Air Act Section 309(a), of legislation proposed by any federal department or agency, newly authorized federal projects for construction and any major federal actions (other than a project for construction) to which the National Environmental Policy Act applies and proposed regulations published by any department or federal government agency.
2. **TO WHOM DELEGATED.** Associate deputy regional administrator, Office of the Regional Administrator.
3. **LIMITATIONS.**
 - a. The authority to comment in writing on the environmental impacts is limited to the associate administrator for the Office of Policy when: 1) the environmental impacts are national in scope; 2) the environmental impacts results in a high degree of national controversy or have national significance; 3) the comments would raise novel policy considerations or precedent; or 4) required to maintain or promote national consistency.
 - b. The authority to comment in writing on draft environmental impact statements that assign a rating of environmentally unsatisfactory and/or inadequate (3) is limited to the regional administrator.
4. **REDELEGATION AUTHORITY.**
 - a. Consistent with 4.b., this authority may be redelegated to the National Environmental Policy Act program staff, except that comments in writing on draft and final environmental impact statements and environmental assessments may not be redelegated further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** U.S. Environmental Protection Agency Policy and Procedures for the Review of Federal Actions Impacting the Environment.



Gregory Sopkin
Regional Administrator

Date